

Express Mail Certificate 37 C.F.R. §1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 in an envelope addressed to **MAIL STOP RCE**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Name of Person Signing Certificate: _____

Renee Conti

Date

May 4, 2004

Signature

Renee Conti

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent Application of	:	
	Kohei SUZUKI <i>et al.</i>	:	
		:	Group Art Unit 1745
Conf. No.:	1491	:	
		:	
Appln. No.:	09/915,946	:	Allowed: January 23, 2004
		:	
Filed:	July 26, 2001	:	
		:	
For:	NON-AQUEOUS ELECTROLYTE	:	Attorney Docket No.
	SECONDARY BATTERY AND	:	No. 10059-391US
	POSITIVE ELECTRODE FOR THE	:	(P25827-01)
	SAME	:	

TRANSMITTAL LETTER

Although it is Applicants' opinion that the claims filed by way of amendment are substantially embraced in the statement of invention or in the claims originally filed, Applicant's herewith file a Supplemental Declaration for precautionary purposes under 37 CFR 1.67.

Respectfully submitted,

KOHEI SUZUKI *ET AL.*

May 4, 2004
Date

By:

William W. Schwarze

WILLIAM W. SCHWARZE

Registration No. 25,918

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.

One Commerce Square

2005 Market Street - Suite 2200

Philadelphia, PA 19103

Telephone: (215) 965-1200

Direct Dial: (215) 965-1270

Facsimile: (215) 965-1210

E-Mail: wswarze@akingump.com

WWS/TMF
Enclosure